**Resolved:** In the United States, juveniles charged with violent felonies ought to be treated as adults in the criminal justice system.

I advocate treating violent juvenile felons as adults in all instances but Miranda Rights.

This is mutually exclusive because Miranda Rights are part of criminal justice through affecting self-incrimination and interrogation to be used in court. This is also net beneficial. If a distinction exists between juveniles and adults, they are not treated the same.

This solves the AC by treating juveniles as adults in the instances they outline. I coopt their solvency mechanism.

In the status quo, children are often coerced into waiving Miranda rights when treated as adults because they lack comprehension and parental presence. This violates the 5th amendment against self-incrimination.

McGuire writes:

Robert E. McGuire [Robert E. McGuire], Assistant District Attorney General, 20th Judicial Circuit of Tennessee] “A proposal to strengthen juvenile Miranda Rights: Requiring parental presence in custodial interrogations.” Vanderbilt Law Review. May 1 2000.

More and more juveniles are being prosecuted for serious crimes.183 As more and more juveniles are processed through the adult criminal system and pressure to speed the process along increases with that increase in volume, it stands to reason that the temptation to coerce confessions would increase. It is against this background that the following proposal is offered. The challenge in offering a new model for the protection of a juvenile's Fifth Amendment rights in the context of custodial interrogations lies in addressing two major concerns.184` The first concern is that the system must adequately protect the rights of the juveniles in custody because of the danger of coerced confessions.185 The second concern is that police must be free to investigate criminal activity and not be "handcuffed" by an overbroad application of Miranda and Gault.186 The basic premise of this Note is that juvenile custodial interrogation procedures should reflect the mandate the Court set out in Miranda and later applied to children through Gault. Courts must take great care to see that the accused juvenile is "adequately and effectively apprised of his rights."187 This includes a necessary recognition that juveniles, particularly younger juveniles, have trouble solving basic analytical problems with regard to complicated concepts such as "rights," "waiver" and "consequences. Childlike impulses or lack of experience are often cited as leading a child to make an illogical choice based on extraneous factors.189 For example; juveniles cannot be expected to logically decide whether to speak to police because their cognitive development is not at the level of adults.190 Two psychologists have suggested that some cognitive lessons are learned only with increasing age, and it is a mistake to hold children to an average adult standard of cognition.191 When faced with a coercive environment or show of authority, a child is more willing to do what it appears the authority figure would have them do. Taken together, these studies indicate that a child, unaccompanied by an adult advisor or a parent, would not only have serious trouble understanding the warnings as given, but might not be in a position to indicate to police that he does have such trouble.193 Simply put, a juvenile might say he understands a warning out of fear or out of a desire to please. Thus, in order for a juvenile to be effectively apprised of his rights as required by Miranda, the child needs more than simply a warning by police officers.

But, establishing juvenile Miranda protocols solve these issues. Juveniles should be told they may have a parent present, and police should not interrogate the suspect until such time.

McGuire 2 writes:

Robert E. McGuire [Robert E. McGuire], Assistant District Attorney General, 20th Judicial Circuit of Tennessee] “A proposal to strengthen juvenile Miranda Rights: Requiring parental presence in custodial interrogations.” Vanderbilt Law Review. May 1 2000.

This Note recommends a new approach towards juvenile custodial interrogations that would resolve the problems inherent in the application of current constitutional mandates and allow police officers, judges and attorneys to mark their behavior consistent with the Constitution. More importantly, it would secure a greater protection for juvenile constitutional rights in custodial interrogations. In cases where a juvenile is arrested on suspicion of a felony, the police should inform the child, in addition to the Miranda warnings mandated by Gault, that he has the right to have a parent or guardian with him during questioning. The police should then not interrogate that juvenile until the juvenile's parent, guardian or legal counsel is present with the juvenile in the interrogation room. Any confession obtained in contravention of these procedures would be inadmissible at trial.

[Articulate how functions under the framework:

The US is prohibited from violating its Constitution, so winning a violation in the Aff advocacy means the US may not and should not do the AC. This is a side-constraint on Affirming.]